

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, January 9, 2012 at 6:15 p.m. at the Eminence City Hall with Mayor Drane Stephens and the following members present: Polly Troxell, Tom Shroyer, Treva Browning, Danny Meadows, Lee Ann Armstrong, and Leo Mason. Absent was none. Also in attendance were Attorney William Brammell, City Clerk Sandra Doane, Police Sergeant O.C. Jones, Water Distribution Operator Tim Fitzgerald, Police Officer Phillip Parham, Henry County Local Representative Jonna Spelbring Priester, Joyce Meyer and Mary Ann Bright.

Mayor Stephens called the meeting to order at 6:15 p.m.

Pledge of allegiance held.

Subject: County Update – Mayor Stephens reported that Magistrate Scott Bates was unable to attend tonight but asked that if there were any concerns to let him know.

Subject: Citizen Concerns/Ideas – Mary Ann Bright of 78 Thorne Heights was present to discuss some concerns and ideas for our community. Ms. Bright questioned if the City could do anything about the “Topix” website due to the slanderous and insulting nature of most of the content. Attorney Brammell stated that the victims of the slander could take legal action against the person putting the comments on the site. He further stated that as public officials, most will naturally get a greater degree of slander. Ms. Bright stated she was told there is a program to get the names of the persons doing the slandering. She further stated that she sent an e-mail to the person who supposedly does the site but got no answer. Ms. Bright stated this just makes you mad and feels that something should be done about it. Attorney Brammell stated that only the person slandered could take legal action and seek relief.

Ms. Bright stated she is mainly here for support for shopping locally. Mayor Stephens stated he sent a letter to the editor in December to recommend shopping locally; however it never got published. Henry County Local Editor Jonna Priester stated she did not remember the letter and stated they are so short staffed right now that if something doesn’t get in the paper as agreed to that we should call and remind her. Mayor Stephens will modify his letter to the editor and re-send it for publication. Ms. Bright stated we need to help the local businesses by supporting them and also by helping get grants to spruce up the businesses. She suggested putting a list of businesses on our website to draw new people here. Our website designer, Joyce Meyer, stated she will do whatever we direct her to on the website. She can list the businesses and make other changes as directed. When the site was first designed she was told not to spend too much money on it. We have three different domain names and can put different things under different ones if we want.

Ms. Bright stated there is still a big Christmas tree at the Hispanic business on North Main and that people are still living there as well and thought that this was illegal. Mayor Stephens stated this has been checked into and it is not illegal for them to live there. Mayor Stephens responded that his spring goal is to get the businesses physically improved from the façade aspect.

Mayor Stephens stated we are working with the County on an obtaining an economic development person for the entire County. Mayor Stephens stated he does try to talk to the business owners and agrees that we need to hold onto whatever we have. Mayor Stephens asked Ms. Bright to serve on the economic development committee for the City. Ms. Bright agreed. Mayor Stephens invited her to attend a meeting with a grant writer, Bryan Kirby, on Wednesday to discuss our sewer project, the possibility of a wireless (Wi-Fi) grant, and other grants that might be available for the main street facades.

Ms. Bright stated she has items in booths in three different stores in town and wants the City to do something to draw people to Eminence. She shared with the Mayor and Council a sample advertisement she had done which would go into 20 different papers and the cost would be \$463.00 and would promote shopping locally. Mayor Stephens stated he would prefer to go with a smaller publication area and advertise longer. Member Shroyer suggested adding additional money to the economic development budget for next year. Mayor Stephens reported that the advertising budget for Main Street is \$4,000.00 with only a small amount having been spent so far. Council in agreement to proceed with doing an advertisement to promote our businesses for five weeks in fewer papers for a cost not exceeding \$500.00.

Ms. Bright stated she would also like to see on-going investigations listed in the paper so that citizens will know things as they happen. Attorney Brammell stated we cannot say that a person did something but can say they have been charged. Ms. Bright stated her concern is mostly to alert people in case of robberies, etc. on their street to help people be more aware. Henry County Local Editor Jonna Priester stated she will ask all the law enforcement departments to do this.

OLD BUSINESS:

Subject: Minutes – The minutes of the previous regular session held on December 12, 2011 were reviewed. Mayor Stephens asked for any additions or changes to the minutes. Member Shroyer suggested moving the third paragraph under the Public Works Report to make it the second paragraph as it pertains to the same subject. Mayor Stephens stated the minutes would stand approved as presented with the one suggestion of moving the paragraph.

Subject: Sewer Use Ordinance Amendment – Attorney Brammell held the second reading of a summary ordinance amending the City’s sewer use ordinance. Motion made by Member Meadows and seconded by Member Mason to adopt the ordinance as presented and read by summary. On a call for vote by Clerk Doane, all members present voted “Yea”.

REPORTS:

Subject: Police Department Report – In the absence of Police Chief Carey Duncan, Sergeant Jones reviewed the monthly activity report with council which showed total contacts of 271 for December. Nine individuals were arrested on twenty-eight separate charges. The Department had five driving under the influence and two other alcohol related incidents.

Subject: Public Works Department Report – In the absence of Public Works Director William Smith, Water Distribution Operator Tim Fitzgerald reviewed the monthly activity report with council. Mr. Fitzgerald reported he will be attending a wastewater treatment certification class the end of the month. Mr. Fitzgerald asked that if the police officer on duty during the late evening or early morning hours sees that the roads are getting slick during bad weather to please call him at home.

Subject: Administrative Office Report – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that we have collected approximately 89.6% of the total 2011 property taxes as of December 31st. Reported that we have received our 2012 Litter Abatement Funds and if we plan to allow school groups to do the road side litter pickup for us that we need to do one in the spring and one in the fall. Clerk Doane reported that the audit is complete for the fiscal year ending June 30, 2011 and has been reviewed with the Mayor and Clerk. Clerk Doane reported that we are now doing a daily off-site backup of our software programs and daily work as well as our daily in-house backup as an added safety feature. Clerk Doane reviewed with council a notice from the Department of Revenue where they will be reducing our monthly telecommunications tax hold harmless distribution by approximately 2% starting in January. This has never actually been a hold harmless as we have lost revenue on this since the state took over the collection. There is legislation pending that will require the state to actually make this a hold harmless distribution should it pass.

Subject: Fire Department Report – Member Meadows reviewed the Fire Department report with council which showed seven total runs and special details in December for a total of 87-3/4 total man-hours. Member Meadows presented the yearly report which showed 92 total runs and 27 special details for 2011. Reported that the department has successfully passed our pump testing after doing some maintenance work on the pumps. Member Meadows reported that Howard Roberts has resigned from the fire board due to moving out of town and that Brian Golden has been suggested as a replacement and has agreed to serve if the Mayor chooses. Mayor Stephens stated he had no objection and would do an executive order replacing Member Roberts with Brian Golden. Member Meadows asked if the Fire Department meeting area, kitchen and bathrooms could be cleaned by an outside cleaning person. Mayor Stephens stated he would get with our current cleaning person for a price and see if we can find a place to pay for this from the budget. It was decided to do the Fire Department cleaning bi-weekly at this time.

Subject: Festivals Update – Member Armstrong reported the festivals committee has met with Eminence Day being set for August 11th. Music on Main has been changed to Music at the Depot and will be held in the City parking lot for safety concerns for attendees with May 12th, June 15th, and July 13th having been picked for event dates and possibly a September event will be done as well. The first DJ in the Park will be held on July 28th which is the Saturday before the beginning of the school year.

The City has purchased a tent for the numerous events and employee Troy Popp will build a stage in sections for use with the tent. After being used 2-1/2 times we will have paid for the tent with what we would have paid to rent one.

Member Meadows asked if the electricity has been permanently fixed at the Depot area so we will not have problems as we did before. Mayor Stephens stated we would check with our electrician, Greg Hutcherson to make sure before the events begin.

Member Armstrong reported she has set up a social network page through Facebook for updating the festival events. We will also update the City's website with current information on these events.

Subject: Parks Update – Member Armstrong reported on some maintenance and repair goals at the park which the committee has for 2012. Some of their ideas and recommendations are to remove the partitions outside the bathrooms; clean up the trees at the bottom of the hill and clean out the overgrowth and dead limbs with possibly some benches to be installed there; to repair existing signs which have been scraped off and damaged with foul words and comments with perhaps plexi-glass being placed over the repaired signs; tear down the pump house and put in a small box for the needed electricity; blacktop the tennis courts; paint the buildings again due to the graffiti on them; replace the basketball nets; redo the landscaping in front of the Coach D Park sign with a weed control tarp to be put down; and contact Judge Brent to see if we can use some community service workers to re-work the mulch.

Mayor Stephens stated he is looking into an eight camera system or video cams which can be monitored thru an app on the Police Department phones to take care of some of the vandalism problems.

The tennis courts were discussed with it being determined that the marking alone could run as much as \$2,500.00. Mayor Stephens asked the committee to get some actual cost figures together on repairing the tennis courts before anything is done to them.

Subject: Community Center Report – Mayor Stephens reported that the new Director at the Center will be Daniel Nation. They are just waiting on final approval from the state grant people. He has a lot of theater and ballet program experience and will hopefully be a good choice for us.

NEW BUSINESS:

Subject: Open Citizen Comments/Questions – No one present who wished to address the council.

Subject: Audits – Mayor Stephens presented the fiscal year ending June 30, 2011 audits to council suggesting for them to read the Management and Discussion Analysis and the auditor notes in the back. We received a good report from the auditors with everything being in order. Council was asked to contact him or Clerk Doane if they have any questions.

Subject: Ordinance Adopting Supplement to Code of Ordinances – Attorney Brammell held the first reading of an ordinance adopting a supplement to the code of ordinance of the City of Eminence.

Subject: Updated Animal Ordinance – Mayor Stephens reported he is still working on this.

Subject: Garbage Franchise – Postponed.

Subject: Mayor's Update – Mayor Stephens reported that the Chinese Restaurant did close due to illness in the family and their returning to China.

Mayor Stephens reported he had a discussion with a business owner about making the businesses all smoke free which we can do by ordinance. Within a few hours of his e-mail about this to council he received calls from EBG and Hometown concerning going smoke free. Mayor Stephens stressed the importance of keeping things in confidence until we decide whether we are going to discuss them or not. Member Mason stated he got an e-mail a month ago asking about this. Member Meadows stated that Dairy Queen went to non-smoking on their own and he feels it should be choice of the individual business. Member Shroyer stated he felt a person or group should be here to promote this if really interested. Member Browning stated she felt it would hurt our businesses to force non-smoking on them. Consensus of council was not to pursue making our businesses non-smoking.

Mayor Stephens asked council to remember Sandi Hayden, who has helped the City with Eminence Day for several years, as she is very ill and in the hospital.

Mayor Stephens reported that all the committees will remain the same for 2012 as no one has asked to be changed.

Mayor Stephens stated he will be considering a replacement for Howard Roberts on the planning and zoning board due to his moving out of the City and will bring a name back to council for ratification. Member Troxell asked if a council member could do this. Attorney Brammell stated it would be better if it were someone else due to voting on issues that might come before the City.

Mayor Stephens reported he has spoken with Representative Rick Rand to confirm that we are number one to receive any legislative funds for our sewer project if they become available and that we are okay on the \$350,000.00 grant they have already promised.

Subject: New Business/Council – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Meadows stated he has been approached again about the entrance to Blackaby Lane off of South Main and when we can get it repaired. Mayor Stephens stated he would look into this again.

Member Armstrong reported on her attendance at a meeting at Judge Brent's office concerning the County's new alcohol ordinance which will have to be adopted since the Council has been voted "moist". They have decided to use Oldham County's ordinance with some changes. They will be requiring the "STAR" training with a 90 day period to get this done. She wants to add this to our ordinance with a lesser period of time to complete the training. Member Armstrong discussed other differences in their proposed ordinance and our current ordinance. Discussion held as to which ordinance would apply to our businesses now. Attorney Brammell stated

because we are a 4th class city and already have ours in place it would apply. He also suggested a committee to review and recommend any changes to our ordinance. Mayor Stephens asked if a new business came to Eminence would it fall under the County rules or ours. Attorney Brammell stated he would research this and report back. Member Armstrong reported the Fiscal Court meets on January 17th and their ordinance will be discussed at this meeting.

Subject: Warrants - The warrants presented for payment were reviewed. Motion made by Member Armstrong and seconded by Member Troxell to approve the warrants for payment as presented. On a call of vote by Clerk Doane, all members present voted “Yea”.

Subject: Closed Session – None needed.

With no further business to be discussed, motion made by Member Meadows and seconded by Member Mason to adjourn. All members present voted “Yea”. Meeting adjourned at 8:08 p.m.

DRANE STEPHENS, MAYOR
CITY OF EMINENCE, KENTUCKY

ATTEST: _____
SANDRA A. DOANE, CITY CLERK
CITY OF EMINENCE, KENTUCKY